

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter GESKES et al.
Title: HEAT EXCHANGER
Appl. No.: 10/576,523
International Filing Date: 10/20/2004
371(c) Date: 4/20/2006
Examiner: Allen J. Flanigan
Art Unit: 3744
Confirmation Number: 3618

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed November 16, 2009, Applicants hereby elect without traverse Group I, Claims 1-16. By making this election, applicants are not agreeing to the statements in the Office Action regarding alleged lack of novelty of certain claims.

In response to the election of species requirement set forth in the same Office Action, Applicant provisionally elects without traverse Species of the invention "separate structures," on which Claims 2, 3 and 6 read, and subspecies of the invention "straight corrugated finned structures (Fig. 4)," on which Claim 16 reads.

The Office indicates that claims 1, 7, 9, 10, and 12-15 are generic.

Applicants reserve the right to file a divisional application covering the subject matter of the non-elected claims, and/or have additional claims considered in this application as appropriate.


Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

Date December 16, 2009

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